IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 974 OF 2006

Canara Bank .. Petitioners.

vs.

The Municipal Corporation

of Greater Mumbai & Ors. .. Respondents.

Mr. Mohan Jaykar i/by Khaitan & Jaykar

for petitioners.

Mr. K.K. Singhvi with Vinod Mahadik

for respondents.

CORAM : S.U. KAMDAR, J.

DATE : 17th April, 2006.

P.C.:

. The learned counsel appearing for the petitioners states that they will file an appeal under Section 217 of the B.M.C. Act with the Small Causes Court at Bombay being statutory appeal challenging the assessment of the property tax. In so far as the contention that the subsidiary of the petitioner has now vacated the premises and in respect thereof the objections are filed by the petitioners with the Corporation, the learned

counsel for the respondents states that the same will be determined in accordance with law and necessary redetermination of the property tax on the basis of the said objections will be made by the Corporation. If appeal is filed within 15 days from today, the Small Causes Court, Bombay, will determine the same on merits irrespective of delay in filing the said appeal.

2. With the aforesaid observations, the petition is disposed of. No order as to costs.